



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 3686-00
3 January 2001

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy filed enclosure (1) with this Board requesting that his reenlistment code be changed.

2. The Board, consisting of Mr. Dunn, Mr. Beckett and Ms. Hare, reviewed Petitioner's allegations of error and injustice on 19 December 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although it appears that enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Navy on 9 September 1986 at age 18. The record shows that he served without any disciplinary infractions. The Enlisted Performance Record (Page 9) shows that during his service he was only assigned marks below 3.6 in the category of military bearing. In the performance evaluation for the period ending 31 January 1989 he was assigned a mark of 3.2 in that category. In the evaluation for the period ending 31 January 1990 that mark was 3.0. The last performance evaluation for the period 1 February to 8 September 1990 shows marks of 3.8 in rate knowledge, 3.8 in reliability, 3.8 in personal behavior

and an adverse mark of 2.8 in military bearing. He was released from active duty on 7 September 1990 with his service characterized as honorable. At that time, he was not recommended for reenlistment and was assigned an RE-4 reenlistment code. He was subsequently issued an honorable discharge at the expiration of his military obligation.

d. Petitioner states in his application that at the time of his discharge he was unable to pass the physical fitness test and body fact measurements. He states that he has corrected this deficiency.

e. The Board is aware that regulations allow for the assignment of an RE-3T or an RE-4 reenlistment code when an individual is denied reenlistment because of physical readiness test failures.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board notes Petitioner excellent evaluations in every category except military bearing. The low marks in that category suggest that Petitioner's version of why he was not recommended for reenlistment is correct. The Board concludes that no useful purpose is now served by the RE-4 reenlistment code and it should now be changed to RE-3T. This code will alert recruiters that he must meet physical readiness standards before he can be considered for reenlistment.

The Board further concludes that this Report of Proceedings be filed in Petitioner's naval record so that all future reviewers will understand the reason for the change in the reenlistment code.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by issuing a DD Form 215 to show that on 7 September 1990 he was assigned an RE-3T reenlistment code vice the RE-4 reenlistment code now of record.

b. That this Report of Proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and

complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



for W. DEAN PFEIFFER
Executive Director